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IN THE UNITED STATES PATENT AND TRADEMARKS OFFICE

May 6, 2003

Re: Our File: 60266.01/ejg
Invention: Multipurpose Disc Toy
Application No.: 10/068,048
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Applicant: S.E. Persall
Examiner: A. Abdelwahed
Art Unit: 3712



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The Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

Further to the Examiner's comments in the office action dated January 30, 2003, Agent for Applicant encloses herewith a certified copy of the priority document, namely, Canadian application no. 2,337,464 filed February 16, 2001.

Yours faithfully,

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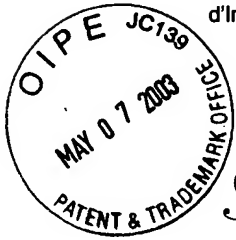


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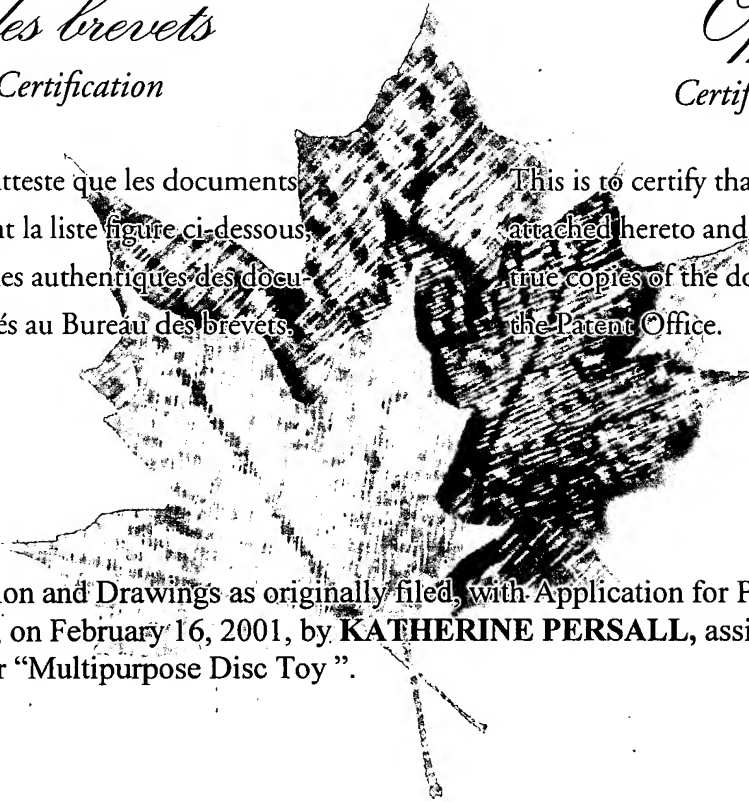


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Specification and Drawings as originally filed, with Application for Patent Serial No:
2,337,465, on February 16, 2001, by **KATHERINE PERSALL**, assignee of Stanley Sr.
Persall, for "Multipurpose Disc Toy".

L. Régimbald
Agent certificateur / Certifying Officer

May 1, 2003

Date

Canada

(CIPO 68)
04-09-02

OPIC  CIPO

ABSTRACT

A multipurpose disc useful as a throw, tug, and chew toy for play involving pets and for play involving pets and people, and useful as a water and food dish for pets, the disc comprising: a circular top portion; an annular sidewall portion that merges with the circular top portion; an annular flange portion that merges with the annular sidewall portion, the annular flange and circular top portions being disposed in parallel spaced planes; a convex outer side; and, a concave inner side. The multipurpose disc has a flat top, annularly depressed trough formed in the annular flange, an internal flexible woven fabric re-enforcing member, and is composed of a resilient waterproof, durable, and flexible material such as natural or synthetic rubber.

Multipurpose Disc Toy

The invention relates to the field of pet toys. More specifically, the invention relates to a multipurpose disc toy for pet animals including dogs.

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BACKGROUND OF THE INVENTION

Toys for pet animals including dogs are well known. These toys take on a variety of shapes and sizes and are often designed for a specific game or exercise. For example, United States Patent Number 4,919,083 (Axelrod) describes a throwable pet toy in the shape of a flying disc or saucer that is impregnated with a meat based substance that is attractive to pet dogs. This patent describes the popular exercise and game of “playing fetch” and relates the belief of many dog trainers and breeders that retrieving is a healthy and beneficial exercise for a pet dog. Similarly, United States Patent Number 6,073,588 (McClung et al.) describes a “throwing plate” game in which a flying disc or similar article includes a recess into which a pet treat or reward is placed. And, United States Patent Numbers 5,261,846 (Hanna) and 5,078,637 (McFarland) both disclose flexible flying discs having a softer tube and fabric construction. All of these pet toys are optimized for various throwing games.

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Flying disc or saucer shaped toys for games between humans are, of course, well known. The most famous may be the FrisbeeTM. Recently, a flexible waterproof embodiment of such a flying disc was described in United States Patent Number 6,174,214 (Cooper). Flying discs of the traditional more rigid design are disclosed in United States Patent Numbers 5,340,347 (Yenerich), 5,531,624 (Dunipace), 4,246,720 (Stone), 4,077,155 (Bruntmyer), 3,724,122 (Gillespie), and 3,359,678 (Headrick). However, these toys, being generally constructed on a rigid form of plastic, when used in play with pet dogs may cause damage to the pet’s mouth. This is especially so if such toys are used in “tug-o-war” like games with pets. Such a game would commonly involve a playful, yet aggressive, contest between a person and pet wherein each would grasp an opposite end of the toy and tug or pull thereon. While United States Patent Numbers 5,261,846

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(Hanna) and 5,078,637 (McFarland), as discussed above, disclose flying discs constructed of softer materials, they are not suited for aggressive tugging games with animals.

5 Tugging, and indeed chewing or gnawing, on suitable articles is commonly known to be of benefit to pet animals, especially to pet dogs. Such chewing and gnawing is beneficial to a dog's oral health as it strengthens and exercises the animal's teeth and jaws. The chewing and gnawing action tends to scrape tartar, plaque, and debris from the animal's teeth. To address this need, several pet toys specifically designed for chewing or gnawing
10 by pet dogs have been disclosed. To protect a dog's mouth, several of these toys are made of resilient rubber-like materials. For example, United States Patent Number 2,610,851 (Jones) describes a pipe-shaped dog's toy molded of rubber. In fact, United States Patent Numbers 5,750,196 (Welch) and 5,609,913 (Welch), describes a process for making animal chew toys out of used tire sidewalls. Further pet toy examples include the dog
15 chew toy made in the form of a length of rope impregnated with a therapeutic dental agent of U.S. Pat. Nos. 5,329,881 (O'Rourke) and 5,711,254 (O'Rourke); the bone-shaped therapeutic device for dogs made from a hard, tough material with protruding spikes of U.S. Pat. No. 5,263,436 (Axelrod); the therapeutic pet toy with an elastomer body and grooves sized for receiving a dog's teeth of U.S. Pat. No. 4,802,444 (Markham,
20 et al.); and the chewable animal toy made from a super-tough molded elastomeric polyurethane material with a surface-migrating flavoring material of U.S. Pat. Nos. 4,557,219 (Edwards) and 4,513,014 (Edwards). However, these chewing and gnawing toys are not generally optimized for throwing games. The need therefor exists for a pet toy that is designed for use as both a throw and tug or chew toy.

25 At the conclusion of or during a session of play with a pet, the pet may become thirsty or hungry. If the play session or game is conducted outdoors, it is likely that the pet's master will not have access to a convenient means of containing the pet with food or water. As play with pet animals is often spontaneous in nature, it would be helpful if the pet toy
30 used in such play could also be used as an effective pet food or water dish. United States Patent Number 5,078,637 (McFarland), mentioned above, contemplates the use of the

flexible flying disk that it discloses as a water dish for a thirsty pet. However, the highly flexible, dome shaped, and shallow nature of the convex side of the McFarland flying disk, not being flat or deep, is not stable and not effectively suited for use as a water or food dish.

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Therefore, a need exists for a multipurpose pet toy that may be used in throwing, tugging, and chewing games and exercises and which may also be used as an effective food and water dish.

SUMMARY OF THE INVENTION

- 10 The invention provides a multipurpose pet toy that may be used in throwing, tugging, and chewing games and exercises and which may also be used as an effective food and water dish. According to one aspect of the invention, a multipurpose disc is provided that has a circular flat top, an annular sidewall, an annular flange, and an internal re-enforcing member. According to another aspect of the invention, a multipurpose disc is provided
- 15 that is generally formed from a resilient rubber-like material and that is optimized for use as a throwing, tugging, and chewing toy for pets. According to a further aspect of the invention, a multipurpose disc is provided which may be used, when inverted, as an effective water or food dish for a pet.

BRIEF DESCRIPTION OF THE DRAWINGS

- 20 The invention may best be understood by referring to the following description and accompanying drawings which illustrate the invention. In the drawings:

FIG. 1 is a perspective view of a multi-purpose pet toy in accordance with the preferred embodiment;

- FIG. 2 is a side sectional view, taken along a diameter, of a multi-purpose pet toy in
- 25 accordance with the preferred embodiment;

FIG. 3 is a perspective view showing a multi-purpose pet toy in accordance with the preferred embodiment being thrown by a person;

FIG. 4 is a perspective view showing a multi-purpose pet toy in accordance with the preferred embodiment being caught by a pet;

FIG. 5 is a perspective view showing a multi-purpose pet toy in accordance with the preferred embodiment being chewed by a pet;

5 FIG. 6 is a perspective view showing a multi-purpose pet toy in accordance with the preferred embodiment being tugged at by several pets;

FIG. 7 is a perspective view showing a multi-purpose pet toy in accordance with the preferred embodiment being tugged at by a pet and a person;

10 FIG. 8 is a perspective view showing a multi-purpose pet toy in accordance with the preferred embodiment being used as a water and food dish for a pet.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

In the following description, numerous specific details are set forth to provide a thorough understanding of the invention. However, it is understood that the invention may be practiced without these specific details. In other instances, well-known materials,
15 structures and techniques have not been described or shown in detail in order not to obscure the invention. The term rubber is used herein to be broadly construed to include natural rubber as well as synthetic compounds that can be used in pet toys as a substitution or adjunct to rubber.

20 The invention provides a multipurpose pet toy that may be used in throwing, tugging, and chewing games and exercises and which may also be used as an effective food and water dish. According to one aspect of the invention, a multipurpose disc is provided that has a circular flat top, an annular sidewall, an annular flange, and an internal re-enforcing member. According to another aspect of the invention, a multipurpose disc is provided
25 that is generally formed from a resilient rubber-like material and that is optimized for use as a throwing, tugging, and chewing toy for pets. According to a further aspect of the invention, a multipurpose disc is provided which may be used, when inverted, as an effective water or food dish for a pet.

FIG. 1 is a perspective view of a multi-purpose pet toy 100 in accordance with the preferred embodiment. The pet toy 100 has a circular disc-like, saucer-like, or inverted pie platter-like shape. The pet toy 100 has a flat top portion 110. The flat top portion 110 merges with an annular sidewalk portion 120 which in turn terminates in a flange portion 130. In general, the pet toy 100 has a convex outer side 140 and a concave inner side 150. The flange portion 130 has an annularly depressed trough 160 where it meets the annular sidewall portion 120 on the convex outer side 140. The preferred embodiment of the pet toy 100 has a mass of approximately 100 grams and a diameter of approximately 20 centimeters. Larger and smaller versions of the pet toy 100 are also contemplated having proportional mass and dimensional characteristics.

Referring to FIG. 2, the pet toy 100 is made of a rubber-like material. Within the rubber-like material of the pet toy 100 is a re-enforcing member 210 which is made of thread or cord-like fabric. The re-enforcing member 210 is disposed centrally between substantially equal thicknesses of rubber-like material indicated at 220 and 230. The re-enforcing member 210 provides the pet toy 100 with the required strength and durability while the rubber-like material allows the pet toy 100 to be flexible, chewable, stretchable, water impervious, soft, light weight, and yet rigid enough to maintain its shape.

The shape and composition of the pet toy 100 provide it with several unique features and advantages. Referring to FIG. 3, the pet toy's 100 saucer-like shape and lightweight allow it to be used in throwing games 300 with pets. In such throwing games 300, a person 310 may throw the pet toy 100, with its convex outer side 140 facing up, to a pet 320 or to a location from where the pet 320 may fetch the pet toy and return in to the person 310. The person 310 may throw the pet toy 100 by grasping it with the thumb on the convex side 140, with the assistance of the annularly depressed trough 160, and with one or more fingers on the concave side 150. The Throwing may be accomplished with a wrist snapping motion typically used in throwing a flying disk or Frisbee.TM like toy. Referring to FIG. 4, the pet 320 may catch 400 the pet toy 100 in its jaws. The soft and flexible nature of the pet toy 100 allows the pet 320 to safely catch the pet toy 100 in its jaws. This soft and flexible nature, along with the pet toy's 100 chewable property, allow

the pet 320 to chew the pet toy 100 without harm to the pet's 320 mouth. It is well known that chew toys having these properties are beneficial to a pet's oral health. FIG. 5 shows a pet 320 chewing 500 on the pet toy 100. In addition, the stretchable property of the pet toy 100 allows it to be used in tugging games. FIG. 6 illustrates several pets 320 tugging 5 600 on the pet toy 100 while FIG. 7 shows a pet 320 and person 310 playing a tugging game 700 with the pet toy 100. Furthermore, and referring to FIG. 8, the water impervious, deep bowl-like shape, and flat top surface 110 of the pet toy 100, allow it to be used, with its concave side 150 up, as an effective water or food dish 800 for a pet 320. Hence, the pet toy 100 may be used as a flying disk or fetch toy 300, 400, a chew 10 toy 500, a tug-o-war toy 600, 700, or as an effective water or food dish 800.

Although the invention has been described with reference to certain specific embodiments, various modifications thereof will be apparent to those skilled in the art without departing from the spirit and scope of the invention as outlined in the claims appended hereto.

THE EMBODIMENTS OF THE INVENTION IN WHICH AN EXCLUSIVE PROPERTY OR PRIVILEGE IS CLAIMED ARE DEFINED AS FOLLOWS:

1. A multipurpose disc useful as a throwing, tugging, and chewing toy for play and exercise involving pets and for play and exercise involving pets and people, and useful as a water and food dish for pets, the disc comprising:
 - a) a circular top portion;
 - b) an annular sidewall portion that merges with said circular top portion;
 - c) an annular flange portion that merges with said annular side wall portion, the said annular flange and said circular top portions being disposed in parallel spaced planes;
 - d) a convex outer side; and,
 - e) a concave inner side.
2. The multipurpose disc as described in claim 1 wherein said circular top portion is flat.
3. The multipurpose disc as described in claim 2 wherein said annular flange portion has an annularly depressed trough formed where said annular flange merges with said annular sidewall on said convex outer side.
4. The multipurpose disc as described in claim 3 wherein said disc is composed of a resilient material.
5. The multipurpose disc as described in claim 4 wherein a re-enforcing member conforming in shape to said circular top portion, said annular side wall portion, and said annular flange portion of said disc, is disposed centrally between thicknesses of said resilient material in said circular top portion, said annular side wall portion, and said annular flange portion of said disc.
6. The multipurpose disc as described in claim 5 wherein the said re-enforcing member is composed of flexible woven fabric.

7. The multipurpose disc as describe in claim 6 wherein said resilient material is waterproof, durable, and flexible.
8. The multipurpose disc as describe in claim 7 wherein said waterproof, durable, and flexible material is natural or synthetic rubber.
9. A multipurpose disc toy comprising:
 - a) a resilient pie-platter shaped member for grasping and throwing and;
 - b) a flexible reinforcing member disposed in said pie-shaped member.
10. A multipurpose disc toy as defined in claim 9, said reinforcing member conforming to said pie-shaped member.

Figure 1

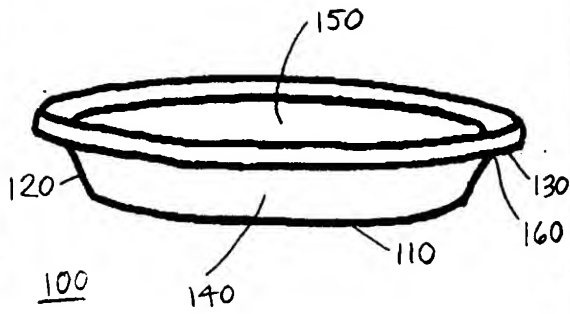


Figure 2

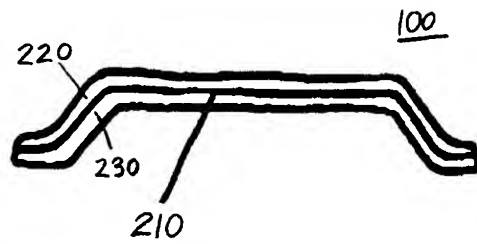


Figure 3

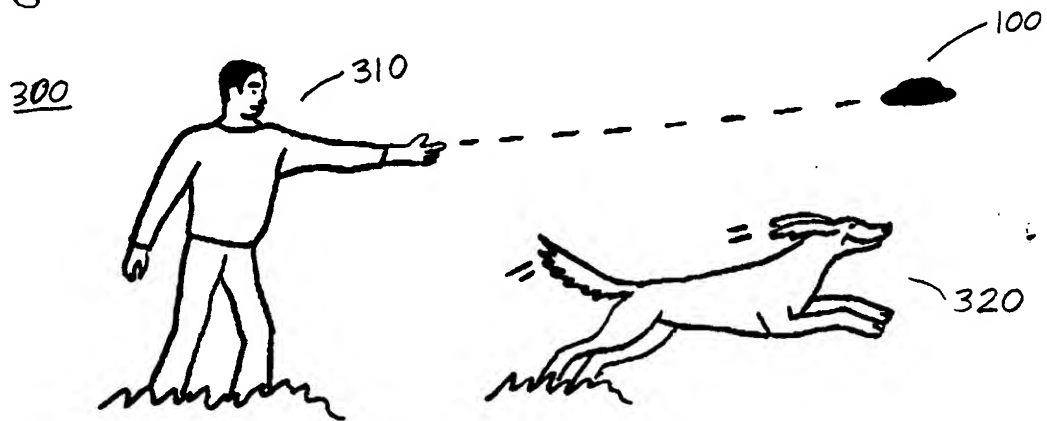


Figure 4

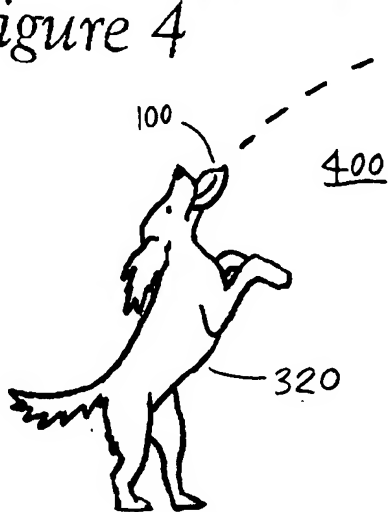


Figure 5

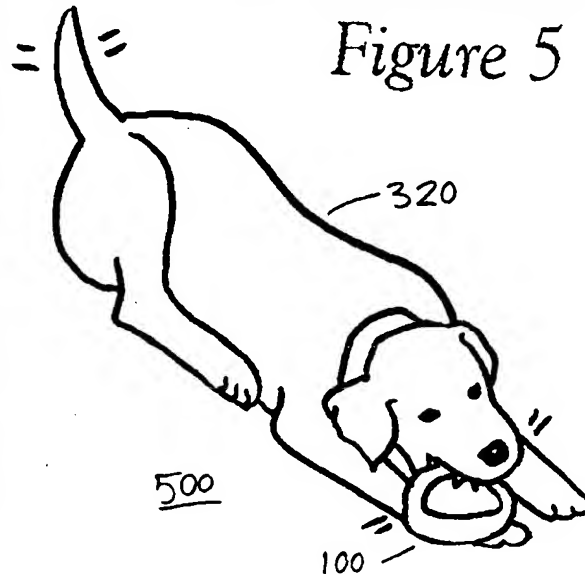


Figure 6

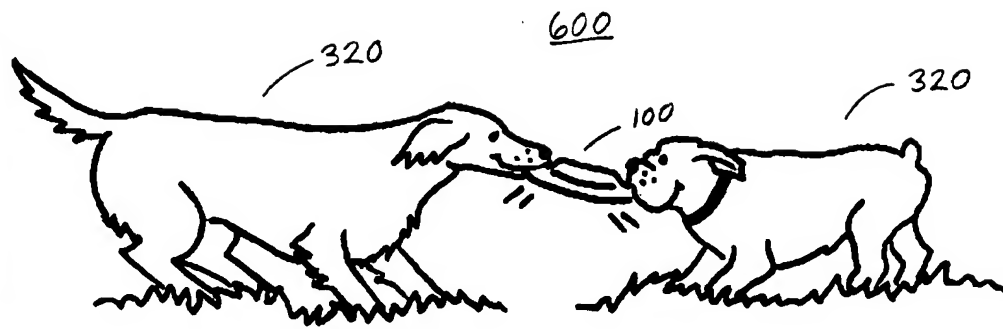


Figure 7

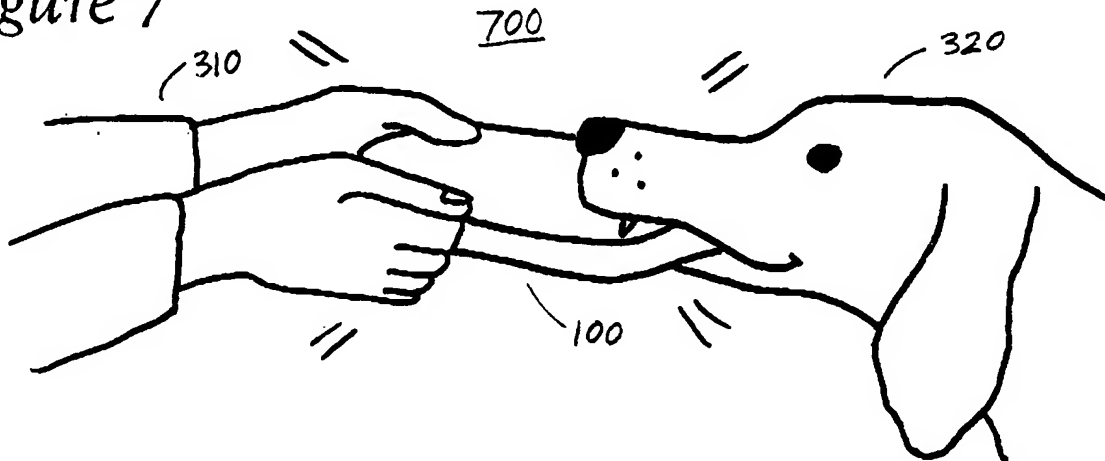


Figure 8

